

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:23-cv-160-FDW**

CHRISTOPHER JOHN BILLESDON,)
)
Plaintiff,)
)
v.)
)
WELLS FARGO SECURITIES, LLC,)
)
Defendant.)
<hr style="width:40%; margin-left:0;"/>)

**DEFENDANT’S MOTION TO STRIKE OUT-OF-TIME EXHIBIT LISTS BY
PLAINTIFF AND MOTION FOR SANCTIONS**

Defendant Wells Fargo Securities, LLC, by counsel, moves the Court to strike Plaintiff’s out-of-time exhibit lists. Exhibit lists were due April 15, 2024 under the Case Management Order. (ECF No. 9.) Since then, Plaintiff has submitted two additional exhibit lists, without Court approval or Defendant’s consent. Plaintiff’s most recent exhibit list (ECF No. 88-1), in addition to being filed without Court approval or Defendant’s consent, removed some of Defendant’s objections to certain exhibits without Defendant’s knowledge or consent and also added Defendant’s alleged position on authenticity and admissibility without Defendant’s knowledge or consent. Plaintiff has falsely represented to the Court Defendant’s position on multiple exhibits.

WHEREFORE, Defendant requests that Plaintiff and his counsel be sanctioned for this conduct by: (1) paying Defendant’s costs and attorneys’ fees in filing this motion; (2) striking Plaintiff’s out-of-time exhibit lists; and (3) prohibiting Plaintiff from offering or introducing any exhibit not identified on Plaintiff’s exhibit list filed on April 15, 2024.

This the 19th day of July, 2024.

Respectfully submitted,

By: /s/ David I. Klass
David I. Klass (NC Bar No. 53342)
Lucy M. Anderson (NC Bar No. 49043)
FISHER & PHILLIPS LLP
227 West Trade Street, Suite 2020
Charlotte, North Carolina 28202
Telephone: (704) 334-4565
Facsimile: (704) 334-9774
dklass@fisherphillips.com
lmanderson@fisherphillips.com

Suzanne Michael, Esq.
Admitted Pro Hac Vice
FISHER & PHILLIPS LLP
1700 7th Avenue, Suite 2200
Seattle, WA 98101
Telephone: (206) 247-7010
smichael@fisherphillips.com

Julia Clark, Esq.
Admitted Pro Hac Vice
FISHER & PHILLIPS LLP
Two Logan Square, 12th Floor
100 N. 18th Street
Philadelphia, PA 19103
Telephone: (610) 230-6119
jclark@fisherphillips.com

COUNSEL FOR DEFENDANT

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:23-cv-160-FDW**

CHRISTOPHER JOHN BILLESDON,)
)
Plaintiff,)
)
v.)
)
WELLS FARGO SECURITIES, LLC,)
)
Defendant.)
<hr style="width:35%; margin-left:0;"/>)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date listed below, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send electronic notice to Plaintiff's counsel:

L. Michelle Gessner, Esq.
Gessner Law, PLLC
602 East Morehead Street
Charlotte, NC 28202
michelle@mgessnerlaw.com

This the 19th day of July, 2024.

Respectfully submitted,

By: /s/ David I. Klass
David I. Klass
FISHER & PHILLIPS LLP